

REMARKS

Applicants thank the Examiner for the courtesies extended during the interview conducted on September 21, 2009. Claim 1 has been amended in accordance with the suggestions of the Examiner. This Amendment is responsive to the August 7, 2009 Final Office Action. Support for the amendment to claim 1 may be found, for example, in Fig. 4 and in the specification at page 6, lines 2-8.

Rejections Under 35 U.S.C. § 112

Claims 1-6 stand rejected under 35 U.S.C. § 112, first and second paragraphs, for failing to comply with the written description requirement and indefiniteness, respectively. In particular, the Examiner asserts that the language “having a unitary construction” introduces new matter and renders the metes and bounds of the claim unclear. Claim 1 has been amended with clarifying language. Applicants submit that the present specification at page 6, lines 2-8 provides proper support for amended claim 1 and is sufficiently clear in compliance with 35 U.S.C. § 112, first and second paragraphs, respectively. Reconsideration and withdrawal of these rejections are respectfully requested.

Rejection Under 35 U.S.C. § 103(a)

Claims 1-6 stand rejected under 35 U.S.C. § 103(a) for obviousness over United States Patent No. 4,509,889 to Skogberg et al. (“the ‘889 Skogberg patent”) or United States Patent No. 4,634,317 to Skogberg et al. (“the ‘317 Skogberg patent”) in view of either United States Patent No. 6,428,243 to Hutchins (“Hutchins”) or United States Patent No. 4,511,289 to Herron (“Herron”). In view of the foregoing amendment and the following comments, reconsideration of these rejections are respectfully requested.

Amended independent claim 1 recites, *inter alia*:

...whereby the bearing plate is held in contact with a step between the projecting part and the bearing-plate-holding part, the projecting part and the bearing-plate-holding part having a single, one-piece unitary construction, the projecting part being fixed relative to the bearing-plate-holding part, whereby

the bearing plate locates on an edge of a rockbolt-setting hole drilled in a bedrock or ground, and the bearing-plate-holding part extends through the aperture of the bearing plate into the rockbolt-setting hole.

The cited references, whether considered alone or in combination, fail to teach or suggest where the projecting part and the bearing-plate-holding part have a single, one-piece unitary construction with the projecting part being fixed relative to the bearing-plate-holding part as recited in amended independent claim 1. The outer strengthening sleeve (19) and the nut (42) of the '889 Skogberg patent and the '317 Skogberg patent are two separate elements with the nut (42) being threaded onto the sleeve (19) to clamp the plate (41) against the rock. Similarly, the lock nut (18) of Hutchins is threaded onto the sleeve (17). Because the nut (42) of the Skogberg patents and the nut (18) of Hutchins are separate elements, upon tightening of the nuts, the sleeve in the Skogberg patents and the Hutchins patent extend from the sleeves and increase the projection height of the rockbolts. In contrast, the pressurized-fluid-introducing sleeve of the present invention includes a projecting part and a bearing-plate-holding part having a single, one-piece unitary construction with the projecting part being fixed relative to the bearing-plate-holding part whereby the amount that the projecting part extends from the borehole is decreased and cracking of the concrete lining layer is reduced. The conventional fluid-introduction sleeve (13) of the Herron patent fails to teach or suggest a pressurized-fluid-introducing sleeve and a bearing-plate-holding part as recited in independent claim 1 and, therefore, fails to overcome the deficiencies of the '889 Skogberg patent, the '317 Skogberg patent and the Hutchins patent.

Therefore, for at least the foregoing reasons, the cited references, whether considered alone or in combination, fail to render independent claim 1 obvious. Reconsideration and withdrawal of these rejection are respectfully requested.

Claims 2-6 depend from and add further limitations to independent claim 1. Thus, claims 2-6 are deemed to be in condition for allowance for all of the reasons set forth above in connection with independent claim 1.

CONCLUSION

In view of the foregoing amendments and comments, Applicants respectfully request reconsideration of the rejections and allowance of pending claims 1-6.

Respectfully submitted,
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